



**ORDERED** that both parties are formally notified that the first sentence on the second page in Document #2 in 06-cv-5562 (which was intended as a dispositive final Order in that case) contains a typographical error that materially misstates the positions of the respective parties, and that this sentence should read as follows: “In the instant situation, there was a previous 28 U.S.C. §2254 petition filed by petitioner (namely 06-cv-0049), which was dismissed with prejudice.”, and, it is further

**ORDERED** that 05-cv-0701 is **DISMISSED WITHOUT PREJUDICE**, and, it is further

**ORDERED** that the Clerk of this Court shall mark 07-cv-0501 as **CLOSED** for all purposes, including statistics.

Michael M. Baylson

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**MICHAEL M. BAYLSON, U.S. District Judge**